

Appl. No. 09/127,644
Amdt. dated February 16, 2005
Reply to Decision on Appeal of September 27, 2004

PATENT

REMARKS/ARGUMENTS

Claims 23-38 were pending. However, the Examiner has issued a Notice of Abandonment.

Pursuant to MPEP §1214.06, II, Applicant hereby respectfully requests the withdrawal of the Abandonment of this application. It is respectfully submitted that since the present application included allowed claims during the appeal process, the Examiner should have issued the application after the two month for appealing the Board of Appeal Decision had expired. Instead, a Notice of Abandonment was issued. Applicant submits herewith the appropriate petition under 37 CFR §1.181(a).

Pursuant to 37 C.F.R. 1.198, Applicant has filed herewith a Request for Continued Examination and paid the fee in accordance with 37 C.F.R. 1.17(e). Applicant has cancelled the claims pending in this application and rewritten allowed claims 11, 15 and 16 as new claims 23, 33 and 34, respectively. The remaining claims depend upon one of the allowed independent claims. In rewriting the allowed independent claims, the feature that the stator "is designed to be substantially ring shaped" was omitted since this feature does not lend to the patentability of the claims.

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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



Kevin T. LeMond
Reg. No. 35,933

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
Attachments
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